

III. REMARKS

1. Applicant appreciates the indication of the allowance of claims 41 and 42.

2. Claims 1 and 18 are amended and claims 38 and 40 are cancelled without prejudice.

3. Claim 1 is amended to address the 35 U.S.C. §112, second paragraph rejection.

4. Claims 1-7, 9, 13, 18 and 37-39 are patentable over Bozler et al. ("Bozler") in view of Banks under 35 U.S.C. §103(a).

Claim 1 recites that the turn on is handled by the sum of the first control signal and the second control signal and that the subsequent holding is handled by the first control signal alone. This is neither disclosed nor suggested by the combination of Bozler in view of Banks.

While Bozler teaches the use of drive and hold voltages, these do not directly correspond with the first and second control signals claimed by Applicant. Bozler does not disclose or suggest the sum of two control signals. Rather, Bozler only describes turn on, hold and off voltages.

The combination of Bozler with Banks does not disclose or suggest Applicant's invention as claimed. Banks only describes the use of banks of batteries in various serial and parallel combinations to obtain various drive voltages without loosing efficiency by the use of series resistors. Nothing in Banks is of relevance when studying Applicant's invention as claimed. The purpose of Banks is to make it possible to use lower drive voltages efficiently, i.e., without loosing energy in any serial

resistors. Contrastingly, the purpose of Applicant's invention as claimed is to enable reliable turn on of micromechanical switches, without the need for any high voltage signals.

More specifically, Banks does not disclose or suggest the summing of signals. Rather, Banks only teaches that the potential of serially connected sources is the sum of the voltages and that the maximum current of sources in parallel is the sum of the current capability of each source.

Neither Bozler nor Banks discloses the summing of control signals. Thus, this feature of Applicant's invention is not disclosed, there is no motivation to combine the references as proposed and one of skill in the arts would not from the combination of these specifications deduce the present invention.

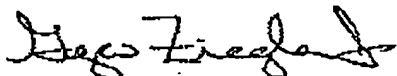
Thus, claim 1 should be allowable. Claims 2-7 and 9-17 should also be allowable at least by reason of their respective dependencies.

Claim 18 is amended to recite that the control electrodes are at least partly covered by a dielectric layer, the combination of claims 40 and claim 1, which has been indicated by the Examiner as being allowable. In Applicant's invention, the control micromechanical elements are at least partly covered by a dielectric layer to prevent a galvanic contact. This is not disclosed or suggested by the combination of Bozler and Banks. Thus, claim 18 should be allowable. Claims 19-39 should be allowable at least by reason of their respective dependencies.

5. Claims 19-20 are patentable over Bozler in view of Pond for at least the reasons set forth above and their respective dependencies.

The Commissioner is hereby authorized to charge payment for a two-month extension of time together with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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Date: February 25, 2005

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